

02-16-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

02/15/01
11052 U.S. PTO

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--|
| Attorney Docket No. | 5026 |
| First Inventor | C. Li et al. |
| Title | GENETIC MODIFICATION OF THE LUNG AS ... DELIVERY |
| Express Mail Label No. | EL759275888US |

| | | |
|--|--|---|
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | | ADDRESS TO: <small>Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231</small> |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification <small>[Total Pages</small> <input type="text" value="29"/> <small>]</small> (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <small>[Total</small> <input type="text" value="4"/> <small>]</small></p> <p>5. Oath or Declaration <small>[Total Pages</small> <input type="text" value="4"/> <small>]</small></p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | | |
| <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p> | | |

| | |
|---|--|
| ACCOMPANYING APPLICATION PARTS | |
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <small>(when there is an assignee)</small> <input checked="" type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> | |
| 17. <input type="checkbox"/> Other: | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 60/183,296

Prior application information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | | | |
|--|---|-----------|----------------|---|--------------------|
| <input type="checkbox"/> Customer Number or Bar Code Label | | | | or <input checked="" type="checkbox"/> Correspondence address below | |
| (Insert Customer No. or Attach bar code label here) | | | | | |
| Name | Steven R. Lazar, Esq. | | | | |
| Address | GENZYME CORPORATION One Kendall Square | | | | |
| City | Cambridge | State | MA | Zip Code | 02139 |
| Country | US | Telephone | (617) 591-7146 | | Fax (617) 252-7977 |

| | | | | |
|-------------------|--|-----------------------------------|--------|-------------------|
| Name (Print/Type) | Steven R. Lazar | Registration No. (Attorney/Agent) | 32,618 | |
| Signature |  | | Date | February 15, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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02/15/01

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **\$710.00**

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | Not yet assigned |
| Filing Date | herewith |
| First Named Inventor | Chester Li et al. |
| Examiner Name | Not yet assigned |
| Group / Art Unit | Not yet assigned |
| Attorney Docket No. | 5026 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **GENZYME CORPORATION**Deposit Account Name **07-1074**

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR § 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|-------------------------------|-----------------|
| 101 | 710 | 201 355 Utility filing fee | 710.00 |
| 106 | 320 | 206 160 Design filing fee | |
| 107 | 490 | 207 245 Plant filing fee | |
| 108 | 710 | 208 355 Reissue filing fee | |
| 114 | 150 | 214 75 Provisional filing fee | |
| SUBTOTAL (1) | | | \$710.00 |

2. EXTRA CLAIM FEES

| Extra Claims | Fee from below | Fee Paid |
|--------------------|-------------------------|----------|
| Total Claims 15 | 20** = 0 X 80.00 = 0.00 | = 0.00 |
| Independent 1 | 3** = 0 X 18.00 = 0.00 | = 0.00 |
| Claims | | |
| Multiple Dependent | | |

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 80 | 202 40 Independent claims in excess of 3 |
| 104 | 270 | 204 135 Multiple dependent claim, if not paid |
| 109 | 80 | 209 40 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | \$0.00 |

3. ADDITIONAL FEES

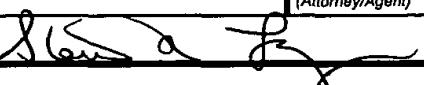
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|---|----------|
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 130 Non - English specification | |
| 147 | 2,520 | 147 2,520 For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 55 Extension for reply within first month | |
| 116 | 390 | 216 195 Extension for reply within second month | |
| 117 | 890 | 217 445 Extension for reply within third month | |
| 118 | 1,390 | 218 695 Extension for reply within fourth month | |
| 128 | 1,890 | 228 945 Extension for reply within fifth month | |
| 119 | 310 | 219 155 Notice of Appeal | |
| 120 | 310 | 220 155 Filing a brief in support of an appeal | |
| 121 | 270 | 221 135 Request for oral hearing | |
| 138 | 1,510 | 138 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 55 Petition to revive - unavoidable | |
| 141 | 1,240 | 241 620 Petition to revive - unintentional | |
| 142 | 1,240 | 242 620 Utility issue fee (or reissue) | |
| 143 | 440 | 243 220 Design issue fee | |
| 144 | 600 | 244 300 Plant issue fee | |
| 122 | 130 | 122 130 Petitions to the Commissioner | |
| 123 | 50 | 123 50 Petitions related to provisional applications | |
| 126 | 240 | 126 240 Submission of Information Disclosure Statement | |
| 581 | 40 | 581 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 355 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 355 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 355 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | |
| Other fee (specify) | | | |

Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Steven R. Lazar | Registration No. (Attorney/Agent) | 32,618 | Telephone | (617) 591-7146 |
| Signature |  | | | Date | February 15, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

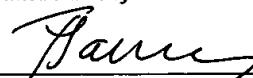
CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Chester Li et al.**

Docket No.

5026Serial No.
Not yet assignedFiling Date
herewithExaminer
Not yet assignedGroup Art Unit
Not yet assignedInvention: **GENETIC MODIFICATION OF THE LUNG AS A PORTAL FOR GENE DELIVERY**I hereby certify that this **A NEW PATENT APPLICATION***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 15, 2001*(Date)***Tatiana Yanovskaya***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL 759275888US***("Express Mail" Mailing Label Number)*

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